

STATE OF NEVADA

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BRENT C. ECKERSLEY, ESQ., Vice-Chairman  
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*Commissioner*

MARISU ROMUALDEZ ABELLAR  
*Executive Assistant*

DEPARTMENT OF BUSINESS AND INDUSTRY  
**LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
RELATIONS BOARD**

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December 11, 2015

**MINUTES OF THE MEETING OF THE LOCAL GOVERNMENT  
EMPLOYEE-MANAGEMENT RELATIONS BOARD**

A meeting of the Local Government Employee-Management Relations Board, properly noticed and posted pursuant to the Nevada Open Meeting Law, was held on Tuesday, December 8, 2015, at the hour of 8:30 a.m., and continuing on Wednesday, December 9, 2015, and continuing on Thursday, December 10, 2015, at the Local Government Employee-Management Relations Board, 2501 E. Sahara Avenue, Room 203, Las Vegas, Nevada 89104.

The following Board members were present:

Philip E. Larson, Chairman  
Brent C. Eckersley, Esq., Vice-Chairman  
Sandra Masters, Board Member

Also present:

Bruce K. Snyder, Commissioner  
Scott Davis, Deputy Attorney General

Members of the Public Present:<sup>1</sup>

Jennifer Wyatt, IAFF, Local 1908  
Patrick Rafter, IAFF, Local 1908  
Aron Suzuki, IAFF, Local 1908  
Karen Johnson, CCSD

**PRELIMINARY MATTERS**

**1. Call to Order**

The Board meeting was called to order by Philip E. Larson, Chairman, on Tuesday, December 8, 2015, at 8:30 a.m.

**2. Public Comment**

<sup>1</sup> Not including attorneys of record and witnesses for the hearings (item 4 and 5).

No public comment was offered.

3. **Approval of the Minutes**

The Board approved the minutes as presented for the Board meeting held November 17, 2015.

<b>CASES</b>
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**HEARING CALENDAR**

4. **Case A1-046120**

**IAFF, Local 1908 v. Clark County**

The hearing on the case was held on Tuesday, December 8, 2015 and Wednesday, December 9, 2015. Upon conclusion of the hearing the Board deliberated on the case, and upon motion, came to the following decision: (1) that the County did not commit a prohibited practice when it placed Tuke into the EMS Coordinator position in that the hiring of employees is a management right under NRS 288; (2) that the County, however, did commit a prohibited practice by the manner in which it placed Tuke into that position in that he was not afforded all the rights, privileges and benefits of other members of the bargaining unit per the collective bargaining agreement; (3) that the County shall therefore afford to Tuke all the rights, privileges and benefits afforded other members of the bargaining unit; and (4) that each side shall bear their own attorneys fees and costs.

5. **Case 2015-008**

**Education Support Employees Association v. Clark County School District**

The hearing on the case was held on Thursday, December 10, 2015. Upon conclusion of the hearing the Board granted the request of the parties to file written briefs, which will be due on February 1, 2016.

**STIPULATION CALENDAR**

6. **Case A1-046092**

**Washoe County School Police Officers Association v. Washoe County School District**

The Board tabled this item as the expected Stipulation to Dismiss had not yet been received.

7. **Case 2015-005**

**Patricia Couture v. Nye County**

Upon motion, the Board approved the Stipulation to Dismiss with prejudice as presented, with each side responsible for its own attorney fees and costs.

8. **Case 2015-012**  
**Police Officers Association of the Clark County School District and Michael Thomas v. Clark County School District**  
The Board tabled this item as the expected Stipulation to Dismiss had not yet been received.
9. **Case 2015-022**  
**Teamsters, Local 14, General Sales Drivers, Delivery Drivers and Representing the Public Sector v. City of Mesquite**  
The Board tabled this item as the expected Stipulation to Dismiss had not yet been received.

#### **MOTION CALENDAR**

10. **Case 2015-023**  
**Clark County Education Association v. Clark County School District**  
Upon motion, the Board granted Respondent's Motion to Dismiss, noting that teacher evaluations are not a subject of mandatory bargaining.

#### **CALENDAR FOR MISCELLANEOUS MATTERS RELATED TO CASES**

11. **Cases in the Queue for Future Hearing or Settlement Conference**  
The Board took no action on any cases in the queue.

### **GENERAL AGENCY MATTERS**

12. **Schedule of Future Board Meetings**  
The Board reviewed the proposed schedule and made changes to the following for 2016:

<u>Dates</u>	<u>Location</u>	<u>Hearings on Cases</u>
January 11, 12, 13, & 14, 2016	Las Vegas	2015-003 & A1-046128
February 9, 10, & 11, 2016	Las Vegas	2015-001
March 1, 2, & 3, 2016	Las Vegas	Not yet assigned
April 12, 13, & 14, 2016	Undetermined	Not yet assigned
May 10, 11, & 12, 2016	Undetermined	Not yet assigned
June 14, 15, & 16, 2016	Undetermined	Not yet assigned
July 12, 13, & 14, 2016	Undetermined	Not yet assigned
August 16, 17, & 18, 2016	Undetermined	Not yet assigned
September 13, 14, & 15, 2016	Undetermined	Not yet assigned
October 11, 12, & 13, 2016	Undetermined	Not yet assigned
November 8, 9, & 10, 2016	Las Vegas	Not yet assigned

December 13, 14, & 15, 2016      Las Vegas      Not yet assigned

**13. Report of the Deputy Attorney General**

Deputy Attorney General Davis reported as follows: (1) that a second Supreme Court settlement conference has been set for December 18<sup>th</sup> in the Deputy Marshals case; that it has been some time since a new petition for judicial review has been filed; and (3) that a new Supreme Court rule now allows the citing of unpublished Supreme Court decisions as persuasive authority.

**14. Reports by the Commissioner**

A. Report on Cases Currently Outstanding.

Commissioner Snyder briefly discussed the contents of the log.

B. Report on Recent ESEA/Teamsters 14 Runoff Election.

Commissioner Snyder reported that the ballots were counted on Saturday, December 5, 2015. He further stated that the five-day period for the filing of any objections has not yet transpired and thus the certification of the election by the Board will need to take place at the next Board meeting in January, which will begin on the afternoon of Monday, January 11, 2016.

**15. Items for Future Agendas**

No items were mentioned for any future agendas.

<b>CLOSING MATTERS</b>
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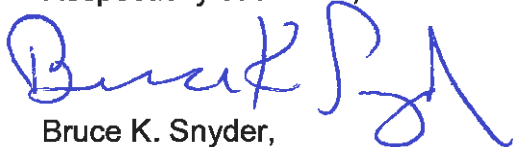
**16. Comments by Board Members**

No comments were made by any Board members.

**17. Additional Period of Public Comment**

No public comment was offered.

Respectfully submitted,



Bruce K. Snyder,  
EMRB Commissioner